

The background of the slide is a solid light blue. It is decorated with various abstract geometric shapes, including rectangles, squares, and L-shapes, in dark blue, white, and red. Some shapes are solid, while others are just outlines. A red L-shape is in the top right. A grey rectangle is on the left. A red square with a white '8th EDITION' label is in the lower middle. A small black logo with white text is in the bottom right.

# THE **LOGIC** OF **AMERICAN** **POLITICS**

## Chapter 4: Civil Rights

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**8<sup>th</sup>**  
EDITION





# Civil Liberties & Civil Rights

- Civil Liberties: Constitution's protections from government power
- Civil Rights: Protections by government power; obligation imposed on government to take positive action on behalf of its citizens



# Think for a Moment...

- Why would a majority in society ever seek to extend and protect the rights of its minorities? What if extending rights would cost you something personally?



# **The Story of U.S. Civil Rights - Major Obstacles -**

- U.S. Constitution
  - Reserves authority to the states (States' Rights)
  - Separation of Powers (Southern filibusters)
- Politics based on self-interest
  - Government controlled by “people” not “angels”



# The Civil War: Apparent Victory for Civil Rights?

- Missouri Compromise of 1820 & *Dred Scott v. Sandford* (1857)
- Presidential election of 1860 and its aftermath



# The Civil War: Apparent Victory for Civil Rights?

- Civil War (1861–1865):
  - Most tragic event in nation's history
  - South lost and occupied by northern troops



# The Civil War: Apparent Victory for Civil Rights?

- Occupation of the South by the North known as “Reconstruction” (1865–1877)
- During Reconstruction, life (was) relatively good for African-Americans: a number of political parties pursuing their votes and Black welfare indices improved



# **The Civil War: Apparent Victory for Civil Rights?**

- The Democrats tended towards racial conservatism and violence during this period



# The Civil War: Apparent Victory for Civil Rights?

- Civil War Amendments
  - Thirteenth (formal emancipation)
  - Fourteenth (granted citizenship)
  - Fifteenth (guaranteed the right to vote)



# **The Civil War: Apparent Victory for Civil Rights?**

- Access to ballot box limited even in Union states
- Rampant violence and fraud in Southern elections



# The Civil War: Apparent Victory for Civil Rights?

- Republicans dominated Southern legislatures for a few years
  - BUT: By 1877 all former Confederate states had reverted to white Democratic control



# The Civil War: Apparent Victory for Civil Rights?

- Standstill and reversal of civil rights progress
  - Vigilante violence (KKK and other groups)
  - Commitment from northern Republicans waned; passed laws, but provided no enforcement
  - Reconstruction officially ended with the election of 1876
  - Compromise of 1877: federal troops leave the South



# Jim Crow: No Civil Rights on the Ground

- Establishment of the one-party state led to a period known as “Jim Crow” (1877–1933)
- Southern States adopted a policy of apartheid. All aspects of southern life were racially segregated.



# Jim Crow: No Civil Rights on the Ground

- Jim Crow Laws
  - Democrats focused efforts on disenfranchising Blacks
    - Institutionalized segregation
    - Established one-party political system



# Jim Crow: No Civil Rights on the Ground

- Electoral laws limit Blacks from voting
  - White primary
  - Poll tax
  - Literacy tests
  - Grandfather clauses to protect poor and illiterate Whites



# Jim Crow: No Civil Rights on the Ground

- *Plessy v. Ferguson* (1896)
  - separate but equal doctrine



# Think for a Moment...

- How would you respond to the argument that segregation created more opportunities for Blacks than integration, because, for example, separate institutions employed more teachers set specifically aside for Blacks, than did racially mixed schools?
- What about gender segregation?



# **The Shift: Party Politics Behind the Civil Rights Movement**

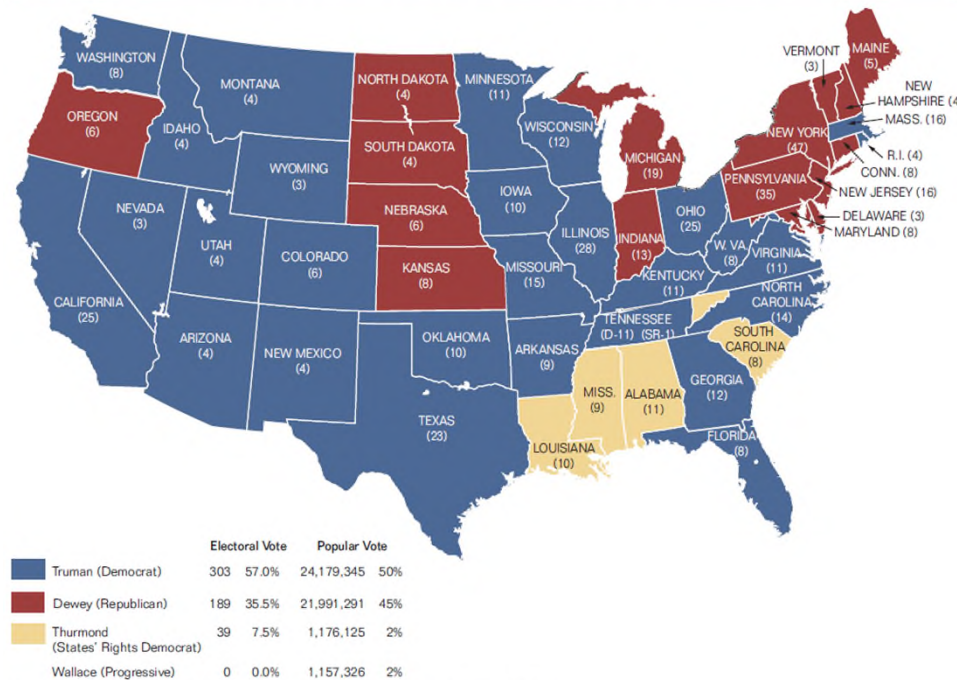
- FDR's New Deal and the Great Depression
  - Rooting out racial discrimination in the distribution of relief aid
  - Appointing over hundred black administrators
  - Justice Department revives its civil liberties division



# The Shift: Party Politics Behind the Civil Rights Movement

- 1948 Presidential Election: Truman vs. Thurmond (Dixiecrats) vs. Dewey

**Map 4.2** Truman Wins the Presidency in 1948 Despite Dixiecrat Defection



Source: *Presidential Elections, 1789–1996* (Washington, DC: CQ Press, 1997), 63, 115.

Note: Numbers in parentheses are electoral votes. One electoral vote from Tennessee went to the States' Rights Democrat.



# The Civil Rights Movement

- NAACP's litigation strategy (1940s and 1950s)
  - *Smith v. Allwright* (1944): eliminates white primary laws
  - *Brown v. Board of Education of Topeka* (1954): trumps the Plessy decision



# The Civil Rights Movement

- Strategy shifted from litigation to mass protest (1960s)
  - Rosa Parks and the Montgomery bus boycott
  - Sit-ins



# The Civil Rights Movement

- Collective action brought need for leadership; emergence of Rev. Martin Luther King Jr.
- Strategy of non-violent resistance



# Victories of the Civil Rights Movement

- Civil Rights Act of 1964
  - authorized the national government to end segregation in public education and accommodations



# Victories of the Civil Rights Movement

- Voting Rights Act of 1965
  - Authorizes federal suspension of states' restrictive electoral tests (literacy tests) and federal officers to register voters directly
  - States have to obtain clearance from the Justice Department before changing their electoral laws



# The South's Realignment

- LBJ's signing the Civil Rights Act of 1964
  - “We [the Democratic Party] have lost the South for a generation”



# The South's Realignment

- The U.S. political phenomenon of the twentieth century
- While Dems had established the South as an one-party state since end of Reconstruction, northern Dems became increasingly liberal



# The South's Realignment

- G.O.P. saw an opportunity to resurrect themselves in the South actively seeking the conservative white vote (Goldwater 1964; Nixon 1968)



# The South's Realignment

- Republicans have emerged as co-equals if not the dominant party since the Civil War in the South



# Legacies of the Civil Rights Movement

- Civil Rights Movement branched out to include women, the elderly, the disabled, homosexuals, and virtually every ethnic minority
- 1919: Women's Right to Vote (Nineteenth Amendment)
- 1967: Age Discrimination in Employment Act



# Legacies of the Civil Rights Movement

- 1990: Americans with Disability Act
- 2012: Washington State legalizes gay marriage



# Questions to Ponder

- When past denial of rights creates unequal starting points for some groups, should government take additional steps to ensure equal opportunity?



# Questions to Ponder

- Should the exact same civil rights belong to racial minorities, women, and homosexuals? Or are there distinctions justifying differential legal protections?